

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 26, 2008

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J., Jackson, J. (Assigned) and S. Stahl, Deputy Clerk.

Each of the following:

B201135 DCFS v. Steven L. et al.
B201844 DCFS v. Bobby G.

Argument waived, cause submitted.

B195775 People
 v.
 Valera

Merits:
Argued by Tara Selver for appellant and by Michael C. Keller, Deputy Attorney General for respondent. Cause submitted.

Vogel, J. leaves the bench.

B194898 Gray & Associates
 v.
 White

Merits:
Argued by Steven W. Kerekes for appellant and by J. Neil Gielegthem for respondent. Cause submitted.

DIVISION ONE (continued)

B195763 Korean Air Lines, Co., Ltd.

v.

County of Los Angeles

Merits:

Argued by Albert Ramseyer, Deputy County Counsel, for appellant and by Jason C. DeMille for respondent. Cause submitted.

B197536 Martinelli

v.

International House USA

Merits:

Argued by Russell F. Behjatnia for appellant and by David Boren for respondent. Cause submitted.

Jackson, J. (assigned) leaves the bench.

Vogel, J. returns to the bench.

B198610 Los Angeles County, D.C.S.

v.

Joseph T.

Merits:

Argued by Jennifer Mack for appellant and by Kim Nemoy, Deputy County Counsel, for respondent. Cause submitted.

March 26, 2008 (Continued)

DIVISION ONE (continued)

B193414 Leylekyan
v.
Leylekyan
Los Angeles County Child Support Services Department

Merits:

Argued by respondent Mariam Leylekian, in propria persona and by Tammy Nakada, for respondent County of Los Angeles Child Support. Appellant previously waived oral argument. Cause submitted.

B192891 Goldfarb
v.
City of Los Angeles et al.

Merits:

Argued by Janet G. Bogigian for respondent City of L.A., by Filomena E. Meyer for respondent American Residential Services, by Priscilla Slocum for respondent Holbrook and by Joseph R. Zamora for appellant. Cause submitted.

Court adjourned.

B198670 People (Not for Publication)
v.
Theresa Marie Decker

The judgment is affirmed.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.
Rothschild, J.

March 26, 2008 (Continued)

DIVISION ONE (continued)

B199178 People (Not for Publication)

V.

Carl Bentley Marion

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Mallano, Acting P.J.
 Jackson, J. (Assigned)

B193798 People (Not for Publication)

V.

Gabriel E. Griffin

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Mallano, Acting P.J.
 Rothschild, J.

B197850 People (Not for Publication)

V.

Oswaldo Orozco

The judgment is affirmed.

Vogel (Miriam A.), Acting P.J.

We concur: Rothschild, J.
 Jackson, J. (Assigned)

DIVISION ONE (continued)

B197664 People (Not for Publication)
v.
Rosendo Chavez

The trial court is ordered to modify the judgment by staying imposition of sentence on the enhancement under Penal Code section 12022.7, and to forward a copy of a modified abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Mallano, Acting P.J.

We concur: Rothschild, J.
 Jackson, J. (Assigned)

B197363 People (Not for Publication)
v.
Alberto M.

The order of wardship is affirmed. The juvenile court is ordered to strike the portion of the February 20, 2007 minute order stating that “[m]inor may not be held in physical confinement for a period to exceed 3 years.”

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.
Jackson, J. (Assigned)

B199603 Lawrence Morelock
v.
Diane Fetter

Filed order denying petition for rehearing.

March 26, 2008 (Continued)

DIVISION TWO

B191465 Mowatt
v.
City of Los Angeles

Filed order denying petition for rehearing.

DIVISION THREE

B195337 People (Not for Publication)
v.
Michael Jerome Sutton et al

The judgment is reversed as to Michael Jerome Sutton. The judgment is affirmed as to Willie J. Jackson

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

B193952 Burrell
v.
Los Angeles County Department of Health Services et al.

Filed order denying petition for rehearing.

March 26, 2008 (Continued)

DIVISION FIVE

B200950 People (Not for Publication)
v.
Franklin Williams

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

B202829 Los Angeles County, D.C.S. (Not for Publication)
v.
Dion B.
In re Lolita P

The judgment terminating parental rights is reversed and the case is remanded to the juvenile court with directions to order DCFS to comply with the inquiry provisions of the ICWA. If after such inquiry, no notice is required, the judgment terminating parental rights shall be reinstated. Similarly, if the notice is required, but after notice no tribe claims Lolita as an Indian child, the judgment terminating parental rights is reinstated.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

DIVISION FIVE (continued)

B196988 County of Los Angeles (Not for Publication)

v.

Ranger Insurance Company

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

We concur: Armstrong, Acting P.J.

Mosk, J.

B199489 Javier Murillo et al (Not for Publication)

v.

Vista Steel Company

The judgment is reversed. Plaintiffs to recover costs.

Kriegler, J.

We concur: Turner, P.J.

Armstrong, J.

B200882 Richard Gillaspay

v.

Los Angeles County Civil Service Commission

Filed order denying petition for rehearing.

B197843 People

v.

Tracy Dotson

Filed order denying petition for rehearing.

March 26, 2008 (Continued)

DIVISION SIX

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B183412 People (Not for Publication)
v.
Cervantes

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan,.J.
Coffee, J.

B199620 People (Not for Publication)
v.
Jimenez

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SIX (continued)

B191744 People (Not for Publication)
v.
Banuelos

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

[illegible]

The appeal is dismissed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B196145 People (Not for Publication)
v.
Garcia

The appeal is dismissed for faqilure to obtain a certificate of probable cause.

Perren, J.

We concur: Gilbert, P.J.
 Yegan

DIVISION SIX (continued)

B201334 San Luis Obispo DPSS (Not for Publication)

v.

Errin M.,

The order terminating parental rights is reversed as to L.M., and affirmed as to M.M. The juvenile court is directed to ensure that proper notice is given under the ICWA as to L.M. DSS shall file all required documentation for the court's inspection, including all responses to the notice. If, after proper notice, a tribe claims L.M., is an Indian child, the court shall proceed under the provisions of the ICWA. If no tribe intervenes, the order termination parental rights as to L.M. shall be reinstated. (in re Francisco W., supra, 139 Cal.App.4th at p. 711.)

Perren, J.

We concur: Gilbert, P.J.

Coffee, J.

B195395 People (Not for Publication)

v.

Edgar G.

The judgment (order of the juvenile court) is affirmed.

Coffee, J.

We concur: Gilbert, P.J.

Perren, J.

DIVISION SIX (continued)

B204704 Jesse Y., Sr. (Not for Publication)
 v.
 Santa Barbara Superior Court
 (Santa Barbara County Child Welfare Services., r.p.i.)

The petition is denied.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

B194659 People
 v.
 Southside Chiques

Cause submitted.

B201673 The People.
 v.
 Ross

Filed order vacating submission to permit additional briefing. Matter to stand resubmitted upon completion of briefing.

B195072 Cooper
 v.
 Cooper

Filed order denying petition for rehearing.

DIVISION SIX (continued)

B194254 Herman
 v.
 City of Santa Barbara

Filed order denying petition for rehearing.

B198455 California Back Specialists Medical Group, et al.,
 v.
 Rand

Filed order denying petition for rehearing.